

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STEFANIE A. RODEN,

Plaintiff,

v.

AFSCME COUNCIL 24, MARTIN BEIL,
GARY MITCHELL, UNIVERSITY OF
WISCONSIN-MADISON¹, SANDRA
GUTHRIE and JANICE RICE,

Defendants.

MEMORANDUM

3:07-cv-698-bbc

This is a civil action for monetary relief in which plaintiff Stefanie Roden, who is proceeding pro se, alleges that she was wrongfully terminated from her job at the University of Wisconsin-Madison College Library in violation of the State Employment Labor Relations Act and Title VII of the Civil Rights Act. Plaintiff has paid the \$350 fee for filing this case. Pursuant to her request, I am returning to her with her copy of this memorandum file-stamped copies of the complaint she provided at the time she filed her original complaint,

¹The University of Wisconsin-Madison is not a suable entity. See Derby v. University of Wisconsin, 54 F.R.D. 599, 600 (E.D. Wis. 1972), aff'd, 489 F.2d 757 (7th Cir. 1973). The Board of Regents for the University of Wisconsin-Madison will be substituted in its place.

as well as the forms she needs to ask defendants to waive service of a summons.

The next step is for plaintiff to serve her complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving her case to resolution. If plaintiff acts promptly, she should be able to serve her complaint on the defendant well before the deadline for doing so established in Rule 4. As soon as she receives waivers from the defendants, she should submit a copy of them to the court promptly so that the court can monitor the time within which defendants should file their answers. As soon as defendants have answered the complaint, the court will schedule a telephonic preliminary pretrial at which a trial date will be set and deadlines will be established for moving this case to resolution.

Entered this 26th day of December, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge